

Message Text

LIMITED OFFICIAL USE

PAGE 01 BRASIL 03825 202213 Z

72

ACTION ARA-17

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-07 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

RSR-01 /083 W

----- 009852

R 201730 Z JUN 73 ZDK

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC 8263

INFO AMCONSUL SAO PAULO

AMCONSUL RECIFE

AMCONSUL RIO DE JANEIRO

LIMITED OFFICIAL USE BRASILIA 3825

E. O. 11652: N/ A

TAGS: PGOV BR

SUBJECT: ELECTORAL COLLEGE BILL

REF: BRASILIA 3802

1. PRESIDENT MEDICI PRESENTED TO THE ARENA LEADERSHIP, JUNE 18, A BILL REGULATING FUNCTIONING OF ELECTORAL COLLEGE. THE DRAFT LEGISLATION PROVIDES:

(A) THE ELECTORAL COLLEGE WILL BE COMPOSED OF THE MEMBERS OF CONGRESS (376) AND DELEGATES (ESTIMATED 125) FROM THE STATE LEGISLATURES SITTING THE YEAR BEFORE THE PRESIDENTIAL TERM EXPIRES. THE SUPREME ELECTORAL COURT WILL DETERMINE THE NUMBER OF DELEGATES FROM EACH STATE LEGISLATURE BASED ON THE NUMBER OF REGISTERED VOTERS. THE CONSTITUTION, HOWEVER, PROVIDES THAT EACH STATE WILL HAVE AT LEAST FOUR DELEGATES. THE DELEGATES, WHO MUST BE MEMBERS OF THE STATE LEGISLATURE, WILL BE ELECTED IN NOVEMBER BY THE LEGISLATURES FROM SLATES SUBMITTED BY THE POLITICAL PARTIES. THE SLATE WINNING THE MAJORITY WILL SUPPLY ALL THE DELEGATES.

(B) THE NATIONAL CONVENTIONS OF THE POLITICAL PARTIES

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BRASIL 03825 202213 Z

WILL MEET IN SEPTEMBER TO NOMINATE CANDIDATES FOR PRESIDENT AND VICE PRESIDENT. THE CANDIDATES HAVE EIGHT DAYS AFTER THEIR NOMINATION TO INSCRIBE THEMSELVES IN THE PARTY. THE NOMINATIONS MUST BE SUBMITTED TO THE SENATE TEN DAYS AFTER THEY ARE CHOSE,.

(C) THE PRESIDENT AND VICE PRESIDENT WILL RUN AS A TEAM AND THE VICE PRESIDENT WILL AUTOMATICALLY BE CONSIDERED ELECTED WHEN HIS RUNNING MATE IS ELECTED. THEY MUST BE NATIVE- BORN AND OVER 35 YEARS OF AGE.

(D) THE OFFICERS OF THE SENATE WILL PRESIDE OVER THE ELECTORAL COLLEGE WHICH MEETS ON JANUARY 15. QUESTIONS OF ORDER WILL BE DECIDED IN ACCORDANCE WITH THE RULES OF CONGRESS.

2. COMMENT: THE FACT THAT THE STATE DELEGATES FOR THE ELECTORAL COLLEGE WILL BE CHOSEN BY THE CURRENT STATE LEGISLATURES ON A WINNER- TAKE- ALL BASIS INSURES THAT THE GOVERNMENT WILL HAVE NO TROUBLE CONTROLLING THE ELECTORAL COLLEGE. THE MDB WILL BE ABLE TO ELECT DELEGATES ONLY FROM GUANABARA, THE ONLY STATE IT CONTROLS. MDB LEADERS HAVE BEEN QUITE VOCAL IN OPPOSING THESE PROVISIONS WHICH THEY CLAIM ARE AUTOCRATIC AND WILL LEAD TOWARD A ONE- PARY SYSTEM.

3. THE OTHER ASPECT OF THE LAW WHICH IS GENERATING COMMENT IS THE PROVISION THAT CANDIDATES FOR DELEGATE WILL BE REGISTERED WITH THE " MESA" OF THE NATIONAL LEGISLATURE AND QUESTIONS OF PROCEDURE WILL BE GOVERNED BY THE RULES OF CONGRESS, NOT BY THE ELECTORAL COURT. IT IS ARGUED THAT TRADITIONALLY CHALLENGES TO DELEGATES UNDER THE RULES OF THE LEGISLATURE HAVE BEEN HIGHLY POLITICAL IN NATURE WHILE THE ELECTORAL TRIBUNAL PRESUMABLY, COULD BE EXPECTED TO RESOLVE THESE ON TECHNICAL GROUNDS.
CLEVELAND

LIMITED OFFICIAL USE

NNNNMAFVVZCZ

*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 20 JUN 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: willialc
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973BRASIL03825
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: n/a
Errors: n/a
Film Number: n/a
From: BRASILIA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730627/aaaajlol.tel
Line Count: 99
Locator: TEXT ON-LINE
Office: ACTION ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 73 BRASILIA 3802
Review Action: RELEASED, APPROVED
Review Authority: willialc
Review Comment: n/a
Review Content Flags:
Review Date: 16 JAN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16-Jan-2002 by boyleja>; APPROVED <16-Jan-2002 by willialc>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> srp 980220
Subject: ELECTORAL COLLEGE BILL
TAGS: PGOV, BR
To: ARA
SECSTATE WASHDC INFO RECIFE
RIO DE JANEIRO
SAO PAULO
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005